

ARNOLD & PORTER KAYE SCHOLER LLP

TRENTON H. NORRIS (Bar No. 164781)

ASHLEY N. GOMEZ (Bar No. 336364)

Three Embarcadero Center, 10th Floor

San Francisco, CA 94111-4024

Telephone: 415.471.3100

Facsimile: 415.471.3400

trent.norris@arnoldporter.com

ashley.gomez@arnoldporter.com

ALEX BEROUKHIM (Bar No. 220722)

777 South Figueroa Street, 44th Floor

Los Angeles, CA 90017-5844

Telephone: 213.243.4000

Facsimile: 213.243.4199

alex.beroukhim@arnoldporter.com

Attorneys for Defendant

RB HEALTH (US) LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JOSEPH DIGIACINTO, an individual, on behalf
of himself, all others similarly situated, and the
general public,

Plaintiff,

v.

RB HEALTH (US) LLC,

Defendant.

Case No. 4:22-cv-04690-DMR

**JOINT STIPULATION AND
ORDER (AS MODIFIED) TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE**

Pursuant to Local Rules 6-2 and 7-12, Plaintiff Joseph DiGiacinto (“Plaintiff”) and Defendant RB Health (US) LLC (“Defendant”), by and through their respective counsel of record, hereby stipulate as follows:

1. WHEREAS, at the outset of this case, the Court set the initial Case Management Conference for November 16, 2022 (ECF No. 6);

2. WHEREAS, on October 19, 2022, the Court granted the Parties’ stipulated request, setting the due date for Plaintiff’s First Amended Complaint as November 7, 2022, the due date for

1 Defendant's Motion to Dismiss as December 9, 2022, the due date for Plaintiff's Opposition as
2 January 13, 2022, the due date for Defendant's Reply as January 27, 2022, and the hearing date for
3 Defendant's Motion to Dismiss as February 23, 2023 (ECF No. 18);

4 3. WHEREAS, Defendant's lead counsel has a preplanned vacation scheduled from
5 November 14, 2022 to November 25, 2022, and Plaintiff has agreed to postpone the initial Case
6 Management Conference for an additional two to three weeks, at the Court's availability;

7 4. WHEREAS, this requested extension will not impact the other case deadlines and is
8 not sought for delay or any other improper purpose;

9 NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the Parties and their
10 respective counsel, that subject to Court approval, the current initial Case Management Conference
11 be continued to November 30, 2022, or such date thereafter that is convenient for the Court.

12 The Parties respectfully request that the Court enter an Order approving this Stipulation.

13 IT IS SO STIPULATED.

14
15 Dated: October 26, 2022

ARNOLD & PORTER KAYE SCHOLER LLP

16
17 By: /s/ Trenton H. Norris

18 Trenton H. Norris
19 Alex Beroukhim
20 Ashley N. Gomez

21 *Attorneys for*
RB HEALTH (US) LLC

22 Dated: October 26, 2022

LAW OFFICES OF RONALD A. MARRON

23
24 By: /s/ Lilach Halprin

25 Lilach Halperin
26 Ronald A. Marron
27 Michael T. Houchin

28 *Attorneys for Plaintiff*
JOSEPH DIGIACINTO

ATTESTATION PURSUANT TO CIVIL L.R. 5-1

The filer attest that the other signatories listed, on whose behalf the filing is also submitted, are registered CM/ECF filers and concur in the filing's content and have authorized the filing.

Dated: October 26, 2022

/s/ Trenton H. Norris
Trenton H. Norris

ORDER

Pursuant to the stipulation of the Parties, and for good cause appearing, it is HEREBY ORDERED that the initial Case Management Conference, presently scheduled for November 16, 2022 at 1:30 p.m. is vacated and continued to February 23, 2023 at 1:00 p.m. in Oakland, by Videoconference only to coincide with the hearing on Defendant's Motion to Dismiss. Parties shall file a joint case management conference statement by February 16, 2023.

IT IS SO ORDERED AS MODIFIED.

Dated: October 27, 2022

